

11/18/2009

Atty. Docket No.: 4231/2054

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Application of: | Liew, C.C. | Examiner: | Juliet C. Switzer |
| Serial No.: | 10/268,730 | | |
| Filed: | Oct. 9, 2002 | Group Art Unit: | 1634 |
| Titled: | Method for the Detection of Gene Transcripts in Blood and Uses Thereof | Conf. No.: | 5174 |

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Signature of Person Mailing Paper

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Declaration under U.S.C. 1.132

I, Choong-Chin (C.C.) Liew, a citizen of 81 Millersgrove Drive, Toronto, Ontario, Canada M2R 3S1, declare the following:

That I am the inventor on the instant application.

That I have read and reviewed the 112 first paragraph enablement rejection applied in the Office Action dated January 4, 2006. I understand that the enablement rejection was further discussed in an interview at the USPTO with the Examiner and Applicant's representatives on February 7, 2006. This declaration is designed to address issues raised by the examiner regarding the enablement of the invention.

That I understand one issue prompting the enablement rejections is that the Examiner questions the broad application of the Applicant's invention. I also understand that the Examiner questions the unpredictability of applying the Applicant's invention given the sample size of the disclosed working examples and the lack of a demonstrated statistically significant relationship between the disease phenotype and the differential expression of the disclosed genes.

That I am using this declaration as an opportunity to extend the working examples of the